

REMARKS

Claims 1 – 10, 21 – 30, and 52 – 57 remain pending in the present application. The Examiner indicated in the June 30, 2005 Office Action that Claims 1-57 are pending and that Claims 11-20 and 30-51 are withdrawn. In our April 13, 2005 Amendment we cancelled Claims 11-20 and 31-50, so only Claims 1-10, 21-30 and 52-57 are currently pending. Claim 1 has been amended. Basis for the amendment can be found throughout the specification, claims and drawings originally filed. The amendment to claim 1 contained herein is of equivalent scope as originally filed and, thus, it is not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendment and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-4, 8-10, 21-24, 28-30 and 52-57 are rejected under 35 U.S.C. § 102(e) as being anticipated by Leblanc, et al. Applicant respectfully traverses this rejection.

Independent claim 1 has been amended to include the phrase “with a mobile station.” It is respectfully submitted that the Leblanc patent does not include the step of determining, **with a mobile station**, search window limitations for one or more sectors due to cell coverage area and due to mobile station dynamics, as claimed in amended claim 1. It is noted that on pages 6 and 7 of the June 30, 2005 Office Action, the Examiner states that the Leblanc reference does not disclose a mobile station that determines search window limitations due to cell phone coverage area or mobile station dynamics. Given this statement, it is respectfully submitted that claim 1 clearly

distinguishes over the Leblanc patent and requests withdrawal of the rejection based on 35 U.S.C. § 102.

In regard to independent claim 21, it is respectfully submitted that the Leblanc patent does not include **a mobile station** which determines search window limitations for one or more sectors due to the cell coverage area and due to mobile station dynamics. Again, given the Examiner's statement on page 6 and 7 of the Office Action referenced above, it is respectfully submitted that claim 21 clearly distinguishes over the Leblanc patent and requests withdrawal of the rejection of claim 21 based on 35 U.S.C. § 102.

Claims 2 – 4, 8 – 10 and 52 – 54 are each ultimately dependent upon claim 1 and add perfecting limitations. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 2 – 4, 8 – 10 and 52 – 54 based on 35 U.S.C. § 102 for the same reasons given above with respect to claim 1.

Claims 22 – 24, 28 – 30 and 55 – 57 are each ultimately dependent upon claim 21 and add perfecting limitations. Accordingly, Applicant respectfully request withdrawal of the rejection of claims 22 – 24, 28 – 30 and 55 – 57 based on 35 U.S.C. § 102 for the same reasons given above with respect to claim 21.

REJECTION UNDER 35 U.S.C. § 103

Claims 5-7 and 25-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Leblanc, et al. in view of Kim, et al. Applicant respectfully traverses this rejection.

Claims 5 – 7 are each ultimately dependent upon claim 1 and add perfecting limitations. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 5 – 7 based on 35 U.S.C. § 102 for the same reasons given above with respect to claim 1.

Claims 25 – 27 are each ultimately dependent upon claim 21 and add perfecting limitations. Accordingly, Applicant respectfully request withdrawal of the rejection of claims 25 – 27 based on 35 U.S.C. § 102 for the same reasons given above with respect to claim 21.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: Thomas E. Vesbit
Thomas E. Vesbit, 50,562

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

TEV/pmg